

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 11266

PERMIT 6549

LICENSE 3307

ORDER ALLOWING REDUCTION IN THE AMOUNT,
CHANGE IN THE POINT OF DIVERSION,
ADDITION OF A POINT OF REDIVERSION
AND REDUCTION IN THE PLACE OF USE

WHEREAS:

1. License 3307 was issued to John C. Kelley and was filed with the County Recorder of San Joaquin County on January 2, 1959.
2. License 3307 was subsequently assigned to Estate of John C. Kelley.
3. A petition for change in point of diversion, addition of a point of rediversion and a request to reduce the amount and the place of use under this license have been filed with the State Water Resources Control Board. Said Board has determined that good cause for such changes has been shown.
4. The Board has determined that such changes will not operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The amount of water authorized to be diverted under License 3307 shall not exceed 1.33 cubic feet per second.
2. Permission is hereby granted to change the point of diversion under said License 3307 (Application 11266) to the point described as follows:

NORTH 1,380 FEET, WEST 4,600 FEET FROM SE CORNER OF SECTION 7,
T2N, R6E, MDB&M, BEING WITHIN NW $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SAID SECTION 7.

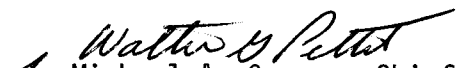
3. Permission is hereby granted to add under said license a point of rediversion described as follows:

SOUTH 2,690 FEET, WEST 3,990 FEET FROM SE CORNER OF SECTION 7,
T2N, R6E, MDB&M, BEING WITHIN NE $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SECTION 18, T2N,
R6E, MDB&M.

4. Permission is hereby granted to reduce the place of use under said license to the place of use described as follows:

36.3 ACRES BEING WITHIN NE $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SECTION 18, T2N, R6E, MDB&M
36.6 ACRES BEING WITHIN SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SECTION 18, T2N, R6E, MDB&M
6.2 ACRES BEING WITHIN NW $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF SECTION 18, T2N, R6E, MDB&M
20.0 ACRES BEING WITHIN SW $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF SECTION 18, T2N, R6E, MDB&M
99.1 ACRES TOTAL

Dated: **FEBRUARY 25 1980**


Michael A. Campos, Chief
Division of Water Rights



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

License for Diversion and Use of Water

APPLICATION 11266

PERMIT 6549

LICENSE 1307

THIS IS TO CERTIFY, That **John G. Kelley**
c/o L. B. Raab, 109 E. Weber Avenue
Stockton 3, California

Notice of Assignment (Over)

made proof as of **October 14, 1949**
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of
an unnamed canal in San Joaquin County
tributary to **San Joaquin River**

for the purpose of **irrigation and stockwatering uses**
under Permit **6549** of the Department of Public Works and that said right to the use of said water has
been perfected in accordance with the laws of California, the Rules and Regulations of the Department of Public Works
and the terms of the said permit; that the priority of the right herein confirmed dates from **January 22, 1946**;
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed **six and ninety-six hundredths**
(6.96) cubic feet per second to be diverted from January 1 to December 31 of each
year.

The equivalent of such continuous flow allowance for any thirty day period may
be diverted in a shorter time if there be no interference with other vested rights.

The point of diversion of such water is located **South sixty-three degrees no minutes**
West (S 63° 00' W) fifty (50) feet from the NE corner of Section 18, T 2 N, R 6 E,
M.D.B.&M., being within the NE¼ of NE¼ of said Section 18.

A description of the lands or the place where such water is put to beneficial use is as follows: **A total of**
520.1 acres within Section 18 and 8½ of Section 7, T 2 N, R 6 E, M.D.B.&M., as
shown on map filed with State Engineer.

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the Department acting through the State Engineer in accordance
with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or
unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from
time to time by the State Engineer.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion
herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Department.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property can not agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Witness my hand and the seal of the Department of Public
Works of the State of California, this 31st
day of December, 19 51



A. D. Edmonston
A. D. EDMONSTON, State Engineer

*11-24-61 Name change to Estate of
John C. Kelley
2-10-84 Ownership Chgd to Nelson E. Kelley &
John C. Kelley Jr. dba John C. Kelley Rancher,
a Partnership*

LICENSE 3307

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

LICENSE
TO APPROPRIATE WATER

ISSUED TO *John C. Kelley*

DATED DEC 31 1951

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